1936. P4

Department of Revenue

OFFICE Board of Revenue

STATION Chepauk.

Misc. No. 312

Dated 29-1-36

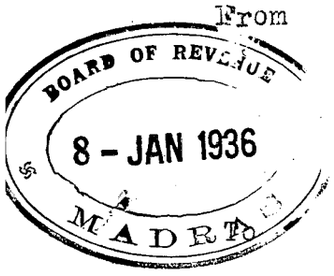
B. 15

Pages in the file c.f. 6
r.f. 2

(SUBJECT.)

Assignment - House-site - (Souka Kamara) - Mangalore Taluk - Bajpe Village - S.No. 50/4B1 - Cancellation - ordered with remarks.

Ref.C.No.A6-3663-35. South Kanara Collector's Office,
Mangalore, 31st December 1935.



From

E. M. Gawne, Esquire, I.C.S.,
Collector of South Kanara.

The Secretary to the
Board of Revenue,
M a d r a s.

Sir.

Assignment - land - Mangalore Taluk - Bajpe village - S.No.50/4B1 - 54 cents - housesite rules - cancellation - orders solicited.

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p 3 of (C)

1. S.No.50/4B1 of Bajpe village (in the sketch enclosed was assigned on 18.11.1934 to one Cheyya Beary under the housesite rules in Mangalore Tahsildar's Special D.R.68/34. Its extent at the time of the assignment was 50 cents. But subsequently in the errata proceedings sanctioned by the Collector in his order D.Dis.6019/33, dated 8.11.1933, the plot was found to measure 54 cents. The adjoining plot S.No.50/4C1 to the east of S.No.50/4B1 was assigned to one Paschal Pereira under the housesite rules on 28.11.1934 in D.R.2/1344. Paschal Pereira now represents that the access to his plot S.No.50/4C1 from the Local Fund Road S.No.53/2A lies through S.No.50/4B1 and that necessary steps may be taken to reserve the right of way through S.No.50/4B1. The applicant's grievance is real. He is hemmed in on all sides by warg-lands. The records of Special D.R.68/34 also show that in the A memo, the Karnam had recommended the reservation of a right of way to S.No.50/4C1 through S.No.50/4B1, but no right of way was reserved in the assignment order. I, therefore, issued a notice to the assignee of S.No.50/4B1 that if he did not consent to give up a pathway 10 links wide throug

S.No.50/4B1 to S.No.50/4C1, steps would be taken to reduce the extent of the plot 50/4B1 from 54 cents to 50 cents by cutting off 4 cents from the southern side of the plot. Though the notice was personally served on the assignee, he has not yet made any representations. I have, therefore, got prepared subdivision records cutting off S.No.50/11 in the sketch for a pathway. The extent of S.No.50/4B1 is now 50 cents. There are no improvements of the assignee in the plot subdivided for the pathway.

2. As the assignment of 54 cents of land under the housesite rules is opposed to S.S.O.15-40 (3) and as the non-reservation of a pathway in the assignment order dated 18.11.1924 was due to a mistake of fact I recommend that the Board may be pleased to cancel the assignment of S.No.50/4B1 ordered by the Tahsildar in Special D.R.68/34. On receipt of Board's orders, S.No.50/4B1 measuring 50 cents and containing the assignee's improvements will be assigned to him under the housesite rules and S.No.50/11 will be reserved for a pathway.

Vol I p 60. p 124 (C) (C)

The records of Special D.R.68/34, D.R.2/1344 of Mangalore Taluk office are herewith submitted. (D) (C)

Your obedient servant,

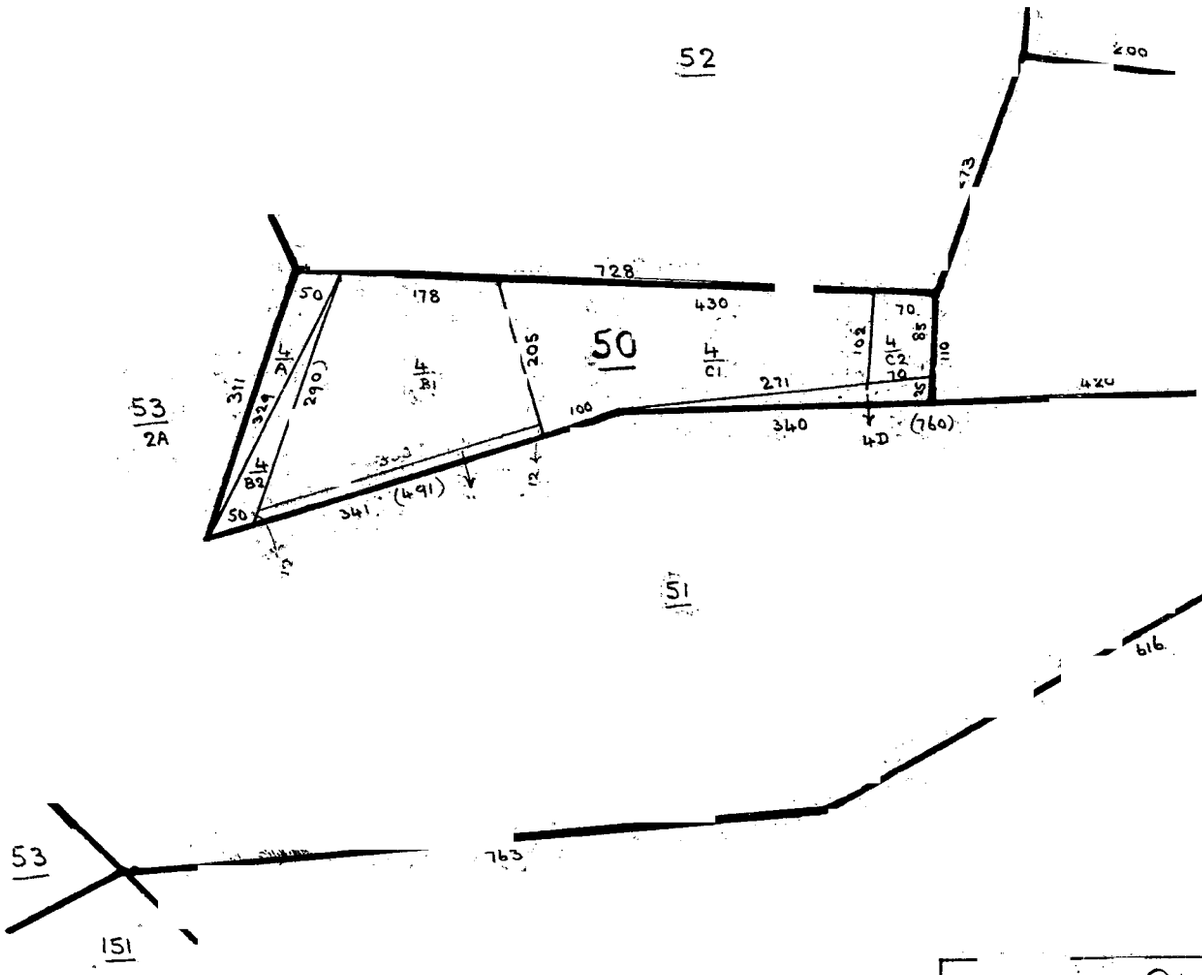
sd madhavarao
For Collector. 31/1/36.

3.1.36

District South Kanara

Taluk Mangalore

Field no 5



50/11	Path-w
53/2A	Road
52/1	
51	Wang
50/3	
50/4C2	
50/4D	Govern
50/4A	
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Draftsman

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AS(L.R.)

C.F.16.

DRAFT FOR APPROVAL.

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When received for fair copying ..		
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SUBJECT:— House site

Assignment - ~~Mavoor~~ (South Kanara) - Mangalore Taluk - Bajpe Village - S.No 50/4B1 - ~~House site rules~~ Cancellation - ~~Collector's proposal - Approved~~ ordered with remarks.

READ AGAIN _____, dated _____ 19_

" " _____ " _____ 19_

READ *ALSO*:-

No._____ From the B, No. 154/36 dated _____ 19 Q. pp 1-2 cf

" _____ " _____ " _____ " _____ 19_____.

" _____ " _____ " _____ " _____ 19_____.

~~Order~~ / Resolution ~~Rout~~ Ms. No. 312, dated 29-1-36 19_____.

In his D.R. No. 68/34 d/18.11.34 the Tahsildar of Mangalore assigned S.No. 50/4B1 of Bajpe Vge. to one Cheyya Beary. The Board observes that he failed to reserve a pathway to S.No. 50/4C1 to which there is no other access. The Tahsildar's order is thus irregular and is accordingly set aside.

2. The Board approves the Collector's proposals to reserve four cents of land since subdivided as S.No. 50/4 in S.No. 50/4B1 as a pathway to S.No. 50/4C1 and to re-assign it to the original

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grantee the remaining extent of 50 cents in which he has effected improvements.

(A.O.)

25/1/36

29/1/36

25/1/36

Issue
29.1.1936

To the Collector of S. Kanara with records returned

(1) Special D.R. 68/34 (C)

(2) D.R. 2/1344 of Mangalore Tk. (D)

Note File.

Assignment - Land - (S. Kanara) - Mangalore Tk - Bajpe village - S.No. 50/4 B1 - House-site rules - Cancellation

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B. 154/36

To A.S.

Please see the Collector's letter at pp 1-2 cf and the sketch at p. 3 cf.

2p In the circumstances, reported by the Collector, ~~it is for orders whether this~~ proposes ~~Bd. may approve the action~~ proposal to cancel the assignment of S.No. 50/4 B1 ordered in D.R. No. 68/34, ~~may be approved.~~ ~~So~~ that it may be possible for ~~the~~ him ~~Collector~~ to provide a way to S.No. 50/4 C1 and to re-assign the remaining plot measuring 50 cents to the original grantee. ~~This~~ assignment of 50 cents ~~proceedure~~ will be in accordance with the limit ~~of land~~ prescribed for grant as house-sites ~~in towns~~ in villages. vide B.S.O. 15-40 (3). The Collector has apparently come up to the Board because the period of 3 years within which he can himself, revise the

Orders of the Tahsildar has expired. His proposal seems to be the only course to follow. It may be approved

h 20/1/36

3/- The Collector reports that the Karnam had recommended in the A memo the reservation of a pathway in S.NO. 50/4C1 through S:NO. 50/4B1, but that the Tahsildar who ordered the assignment overlooked the fact while issuing the order. Under the instructions issued in B.P. NO. Mis. 1750 By 21-6-33 the Collector should take action against the officers responsible for this irregularity. For orders whether the Board will direct the Collector to take action against the Tahsildar responsible or will drop the matter in view of the fact that the assignment was ordered so long ago as 1924.

Aw 24.1.36

flag (U)

Not much good going into this now

Aw 24.1.36

25.1.36

h 20/1/36

21-1-36.

17/1/36

To A.S. (L.R.)

Ref: orders above

Draft Submitted.

h 29/1/36

29/1/36